

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD WILLIAMS, JANN WILLIAMS,)
Plaintiffs,)
vs.)
NATIONAL DEFAULT SERVICING CORP.)
et al.,)
Defendants.)

Case No.: 2:16-cv-1860-GMN-NJK

ORDER

NATIONAL DEFALKT SERVICING CORP.)
et al.,)
Defendants.)

Pending before the Court is an Ex Parte M
filed by pro se Plaintiffs Ronald and Jann Willia
Default Servicing Corporation, Duke Partners II
and Carmen Navejas (collectively, "Defendants")

Concurrent with this case, the parties also have an Unlawful Detainer Action in Justice Court. (Pls.’ Mot. for Prelim. Inj. 9:7–13, ECF No. 48). On October 25, 2016, Plaintiffs filed a Motion for Preliminary Injunction requesting that the Court issue an order “enjoining jurisdiction of the Justice Court on the Case brought by the defendant for unlawful detainer . . . including vacating the hearing on the Order to Show Case [sic] set for November 9, 2016.” (*Id.* 9:7–13). On October 27, 2016, the Court denied Plaintiffs’ motion explaining that the Anti-Injunction Act prohibits a “court of the United States” from granting “an injunction to stay proceedings in a State court.” 28 U.S.C. § 2283. As such, the Court found that the requested relief of enjoining the Unlawful Detainer Action currently underway in the Las Vegas Justice

¹ In light of Plaintiffs' status as pro se litigants, the Court has liberally construed their filings, holding them to standards less stringent than formal pleadings drafted by attorneys. See *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

1 Court “is barred by the Anti-Injunction Act’s prohibition against enjoining ‘proceedings in
2 State court.’” (Order on Prelim. Inj. 4:8–9, ECF No. 52).

3 Plaintiffs’ instant motion asks this Court to enjoin the enforcement of the “Temporary
4 Writ of Restitution” issued by the Las Vegas Justice Court. (Mot. Restraining Order 1:25–27,
5 ECF No. 69). As explained in the Court’s previous Order, “It is settled that the prohibition of
6 § 2283 cannot be evaded by . . . prohibiting utilization of the results of a completed state
7 proceeding.” *Atl. Coast Line R. Co. v. Bhd. of Locomotive Eng’rs*, 398 U.S. 281, 287 (1970).
8 In other words, “the term ‘proceedings’ in the Anti-Injunction Act does not merely apply to
9 ongoing litigation before a state tribunal—the Act also bars injunctive relief which prevents a
10 victorious state litigant from executing a state judgment.” *Pelfresne v. Vill. of Williams Bay*,
11 865 F.2d 877, 879 (7th Cir. 1989). As such, here, even though the Justice Court proceeding has
12 concluded with a “Temporary Writ of Restitution,” this Court cannot interfere with the
13 enforcement of the Justice Court’s Order.

14 Accordingly,

15 **IT IS HEREBY ORDERED** that Plaintiffs’ Motion for Restraining Order (ECF
16 No. 69) is **DENIED**.

17 **DATED** this 23 day of November, 2016.



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Gloria M. Navarro, Chief Judge
United States District Court